~~S-E-E~~

Sl. No 59

1952.

File No. PNS 2751

P. W. DEPARTMENT

F BRANCH.

(i) Class (i)

Subject:— Pension

Revised Pension Rules

Inclusion of spl. pay in the

Calculation of pensionable

pay under

clkj 1952

G. R., G D., No. 2408, dated 22-5-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No. PNS 2751

Public Works DEPT.

F BRANCH.

References :— copies separated from the original file (CC)

Date.	To whom sent.	Notes and instructions.

BNS 2751
65272.

P. W. Deptt.
F.

Submitted.

2. Persons who will exercise option as at (c) in para 1 of G.R.,F.D. No.8315/33, dt. the 26-3-51, are eligible to draw pension, including spl. addl. pension, admissiable under the rules applicable to them before the introduction of the Revised Pension Rules, reduced by the pension equivalent of the gratuity admissible under Sec.II of the Revised Pension Rules and to receive in lieu of the reduction in pension, the death-cum-retirement gratuity and family pension as provided under Secs. II and III of the Revised Pension Rules. According to the Old Pension Rules, i.e., Rules applicable before the introduction of the Revised Pension Rules, unless persons put in 25 years' duty and 30 years' total service or unless they attain the age of superannuation, they are not entitled to any pension except invalid pension. Accordingly, the persons who will exercise the option as at (c) mentioned above, are presumably eligible for gratuity and family pension only after retirement. The doubtful point in this case is whether a person who exercises option as at (c) is eligible for death-cum-retirement, gratuity and family pension provided in Secs. II and III of the Revised Pension Rules, if his death occurs while in service, i.e., before he actually retires from Govt. service. The F.D. may be requested u.o. to make this point clear.

Id/-4/8/51 Id/-5/8/51

uo to FD dt. 6-8-51.

Finance Deptt.

The pps. underlying the G.R.F.D. No.83/5/33 dt. 26.3.51 which are required for the disposal of this case are under separetly under submission as pp. to a Govt. of India reference on the R.P. Rules. This may therefore be kept in await till 5.9.51 pending receipt of the said pps.

Id/- 25.8.51 Id/- 27.8.51

Resubmitted.

2. The pps. underlying G.R.FD No.8315/33, dt. 26-3-1951 are put up below. On a perusal of the proceedings - particularly

(i) the Govt. of India, Ministry of Fin., Office Memo No.F. 3(16)-Est. (Spl.)/50, dt. 2-1-51;

(ii) the then DS.(S). (Shri Damle)'s note dt. 2-2-51 particularly portion A & B therein;

(iii) Secy's D.O. letter No.8315/33, dt. 20-2-51 to Shri Dayal and the latter's reply dt. 2-3-51; and

(iv) Secy's note dt. 3-3-51 on Shri Dayal's D.O. letter dt. 2-3-51.

it would appear that the position with ref. to the points raised in letter dt. 27-7-51 is as follows:

Point (i): Family will be eligible for the death-cum-retirement gratuity. | If Govt. Servant has put in more than five years qualifying service

Point (ii) Family will be eligible for family pension. It may be stated that in addition, the family will get the death-cum-retirement gratuity. | Yes after 25 years qualifying service

Point (iii) From the position stated with ref. to (ii) above, it would be clear that the benefit of family pension & death-cum-retirement gratuity is not restricted only to the family of a Govt. servant who dies after retirement.

3. In view of what is stated in the foregoing para. the presumption made by the PWD at "A" in its foregoing note is not correct.

Id/- 21.9.51 Id/- 25/9

U.O.No. to PWD dt. 28.9.49

P.W.D.
F.Br.

Submitted with refce. to this Depatt. u.o.No. dt. the 6-8-51.

2.....

2. The F.D. has stated that Govt. servants, who will ~~deat~~ elect option at (c) in para.1 of G.R.,F.D., No.8315/33, dt. the 26th March 1951, are eligible for the death-cum-retirement gratuity as well as the family pension even if the death of a Govt. servant occurs before his retirement.

3. These papers will be circulated to the members of the staff for their information and guidance.

Id/- 4/10/51 Id/- 6/10/51.

F.Br. PNS 2751/102992.

P.W.D.

Submitted.

2. The Finance Deptt. has separately asked this Deptt. to report the circumstances in consideration of which the special pay has been granted in case of the C.C., S.C. and G.I.C., (pl. see the portion side lined "A" and B on pp c/s). that Deptt had also inquired of this Deptt. whether the special pay is permanently attached to the posts.

3. Informal inquiries in this matter were made in the Fin. Deptt. These inquiries revealed that information in respect of such of those posts to which no time scales are attached is required to be furnished. It seems that through some misinterpretation of the portion sidelined at 'X' on p 5 c/s information in respect of the posts which have time scales of pay has been furnished. This misunderstanding is regretted very much. So far as this Deptt is concerned, there are no posts of the type the F.D. has in mind. The information which has been furnished in respect of this office and other offices will have to be cancelled. Before this is done, the F.D. may see these papers u.o.

Id/-
31.5.52 Through Cashier and E.Br. Id/-
6-6-52.

D.S. U.O.R. to the F.D. dt the 7-6-52.

Finance Deptt X

Seen and returned to the P.W.D. with the remarks that the required informations is called for in respect of the incumbents of the posts mentioned at'X' of G.C. F.D. No. No. 8315/33 dated 3.7.51 on p. 1/Cs & the same is required to be furnished by that Deptt.

A.S(A) Id/-
16.6.52 Id/-
23-6-52.

Id/-
16-8-52.

This was not attended to by Shri M. I do not now recollect the point on which I wanted him to speak
Id/- 16.8.52.

u.o.r. to PWD dt. 16.8.52.

F.Br. P.W.D

Submitted with a draft for approval.

Id/- Through Cashiers & E.Br.
6/9/52.

Pl. speak. D.S.

Id/- 10/9/52

.....

F.Br. PNS 2751/78535

P. W. D.

Resubmitted with refce to the Dy. Secy's note, dt. the 10.9.52.

2. The F.D. has in mind the posts like those of Dy. Secys. and Under Secys. to which no time scales have been attached but the persons promoted in them get their grade pay plus some special pay in consideration of the higher responsibilites shouldered.

3. It has been informally understood that in the present case no cognizance of the posts of Dy. Secys. and Under Secys. is to be taken as orders regarding grant of benefit of the special pay attached to these posts to persons officiating in them have been issued in G.R.,F.D., No.8315/33, dt. the 15th May 1952.

4. The Draft on pp. 7 c/s may issue. After issue thereof, the F.D. may see these papers with refce. to the para. 3 of this note.

Id/- 20/9/52 Through Cashier & E. Br.

Dy Secy.

Id/- 30.9.52

n.o.r to the F.D. dt. 8-10-52.

Finance Deptt. (X)

Seen and returned to the P.W.D.

Id/- Pl. put up G.R. F.D. of 15.5.52
9.10.52.

Id/-
12-10-52

A copy of G.R., F.D. No. 8315/33 d. 15-5-52 is put up.

U.S/57

Id/-
13-10-52

Id/-
15-10-52

Id/-
15/11

* Mentioned with the g[illegible] case.

* u.o.r. to P.W.D. dt 23/10/52

G.P.K.—(3) M/11-1,00,000-16,54
G.E.,M.L.(G.D., No. 2570/38,dated 26-12-15.]

Regd. Regn. 38 c.

SEPARATOR

G.R., G. D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—.

File No. _____

_____ DEPT.

_____ BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

Revised Pension Rules: Inclusion of special pay in the calculation of pensionable pay under -.

GOVERNMENT OF BOMBAY.
Finance Department
Circular No.8315/33.
Bombay Castle, 3rd July 1951.

A doubt has been expressed whether the special pay drawn by a Government servant officiating in the permanent posts of Deputy and Under Secretaries to Government to which no time scales are attached but the incumbents of which are allowed their grade pay plus special pay of Rs.200/- and Rs.150/- p.m. respectively, is included in the calculation of pensionable pay under the Revised Pension Rules issued in Government Resolution, Finance Department, No.8315/33, dated 20th December 1950. It has been held that such special pay should be included while calculating pensionable pay only in those circumstances in which officiating pay drawn by a Government servant is included in pensionable pay under clause (f) in paragraph 9 of the Government Resolution, Finance Department, referred to above. Before the benefit of this decision is extended to the incumbents of posts to which no time scales are attached but the incumbents of which are allowed their grade pay plus certain amount of special pay, it is desired to have information in the Statement below:-

Serial No.	Designation of the Post.	Amount of Special pay allowed to be drawn over the grade pay to the incumbent of the post.

All Departments of the Secretariat are therefore requested to forward the requisite information in respect of all the posts under their control in a consolidated statemtnt to this Department by the 1st August 1951 at the latest. They are further requested not to instruct the Heads of Departments and offices under their control to forward the information direct to this Department.

By order of the Governor of Bombay
Sd/-
Under Secretary to Government.

Government.....

Government Circular No.8315/33, Finance Department,

dated 3rd July 1951.

To:

All Departments of the Secretariat.

No. of 1951.

Copy forwarded for information and guidance to -

IMMEDIATE
No.PNS 2751 F.

Public Works Department,
Bombay Castle (Bombay No.1)
12th July 1951.

Copy forwarded to -

the Chief Engineer,Bombay Electric Grid,
the Superintending Engineer of Circles,
the Electrical Engineer to Government,
the Public Health Engineer to Government,
the Architect to Government,
the Director, Development Department Chawls.

2. The officers are requested to send the requisite information to reach Government in any case not later than the 25th July 1951.

By order of the Governor of Bombay.

Sd/-
for. (S.V. Iyer)
Assistant Secretary to the Govt.
of Bombay,Public Works Department.

3 45

Letter
No. G.R.70

Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, 19th July 1951.

To

The Chief Engineer to the
Government of Bombay,
Public Works Department,
Bombay-1.

Subject:- Revised Pension Rules -
Inclusion of special pay in the
calculation of pensionable pay
under---

Reference: Government endorsement (P.W.D.) No. PNS-2751-F dated 12-7-1951.

2. There are no posts of the category mentioned in the Government Circular (Finance Department) No. 8315/33 dated 3-7-1951 in this Circle.

Superintending Engineer, K. I. C.

BR/18-7.

1p 4b

To dispose Misc SR.

No. 63785

F 2417

P. W. D.
File No. PNS 2751
Serial No. 63785

F
23-7-51

Southern Circle.

Statement showing the posts on time scale to which special pay is granted.

S.No.	Designation of the post.	Amount of special pay allowed to be drawn over the grade pay to the incumbent of the post.	Remarks
1	2	3	4
1	Deputy Engineer & Technical Assistant to the Superintending Engineer, S.C. Time scale Rs. 220-15-400-E.B.-20-500-E.B.-25-650.	Rs. 50/- P.M. 1 Post in the S.E.S.C's Office.	Sanctioned in G.R.(P.W.D) No.5987/36 dt.the 19th April 1944.
2	Overseers attached to Administrative & Divisional Offices. Time Scale: Rs. 80-5-100-8-140-E.B.-10--220-E.B.-10-270- 300 (Selection grade)	Rs. 20/- P.M. each 13 posts. 2 in S.E.S.C's Office, 2 in Belgaum Divl. Office. 3 in Dharwar Divl " 4 in Ratnagiri Divl. " 1 in Kanara Divl. " 1 in Bijapur Divl. "	Sanctioned in G.R.(P.W.D) No.7624/36- dated 25-4-1947.

GDT/19-7.

By Superintending Engineer, S.C.

Letter.

From

The Superintending Engineer,
Southern Circle.

To

The Chief Engineer,
Public Works Department, BOMBAY 1.

No.G.R. 70.

Public Works Department,
Belgaum: 19th July 1951.

Subject: Revised Pension Rules.
Inclusion of Special pay in the calculation of pensionable pay under --

Reference: Govt. Circular (R.D.) No. 8315/33, dated the 3rd July 1951.

There are no posts in this Circle to which no time scales are attached but the incumbents of which are allowed their grade pay plus certain amount of Special Pay.

2. The posts in time scales, to which special pay is granted are, however, shown in the Statement submitted herewith.

D.A. 1 Statement.

Superintending Engineer, S.C.

GDT/19-8.

F.Bx. P.W.D.

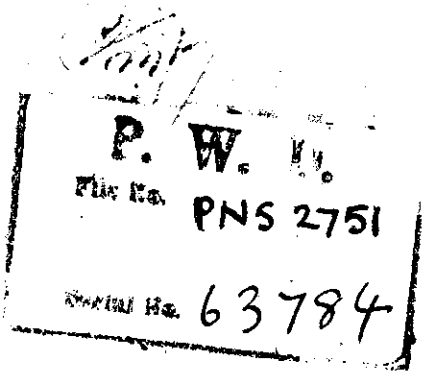
Submitted with reference to h-6
Govt. endt. No. PNS 2751 F, dt
the 12-7-51.

2. The remaining officers may be expedited as per draft. Express letter ff 23-26 put up for approval.

26-7-51.

27/7/57. SAS.

F 24/7.



c/

GENERAL LETTER No.17.

No.P.I/3674. Office of the Accountant Gen.

Bombay, the 7th September 1951.

To:

All the Heads of Central and Provincial Offices under the audit control of the Accountant General, Bombay.

Subject: Liberalization of pension rules on the recommendation of Central Pay Commission.

Sir,

I am to invite a reference to the Government of India, Ministry of Finance, Office Memorandum No.F.3(1)-Est(Spl)/47 dated 17-4-50 and No.F.31(16)-Est(Spl)/50 dated 2-1-51. Government of Bombay, Finance Department Resolution No.8315/33 dated 20-12-50 and 26-3-51.

2. The following further instructions are issued for your guidance and compliance:-

(a) (j): Under para 9 in Section VI / para 11 in Section VII of the above rules as amended by subsequent orders Government servants who were in permanent pensionable service on 30-9-38 / 31-12-50 have been allowed to continue under the old pension rules or to draw pension including additional pension under the old pension rules reduced by the pension equivalent of the gratuity admissible under the new pension scheme and receive in lieu of this reduction, the death-cum-retirement gratuity as provided under the new scheme, as they elect. The election has to be exercised before 1-7-1951 / 1-1-1952 or before the officer retires from service whichever date is earlier.

(ii) The declaration and nomination forms of permanent gazetted officers if any received by you may ~~be~~ please be forwarded to ~~the~~ this office for record.

(iii) The declaration of the Non-gazetted officers when received should be countersigned by the Head of the office and pasted in the service Book of the officer concerned, In addition to the declaration being pasted in the Service Book, a certified list in the following form in respect of all non-Gazetted officers who have opted to elect clause (b) or (c) of para.2 of the Office Memorandum dated 2-1-51 / Para. 1 of the G.R.F.D dated 26-3-51 forwarded to this office as early as possible.

Name of Govt. servant.	Designation & office	Date on which the declaration of option signed	Pensionable post on which a lien or a suspended lien was held on 30.9.38 31.12.50	Elected to come under clause (b) or (c) of para2 of Ministry of Finance O.M.No. F.3(16)-Est(Spl) 150 dt. 2-1-51. Para 1 of G.R.F.D. dated 26-3-51.	REMARKS
1	2	3	4	5	6

Certified that the entries in the above list are correct and that the declarations have been countersigned and pasted in the Service Book.

Signature & Designation of the Head of Office.

(iv) A note of the option exercised by the Govt. servant should also be made in the Establishment Returns as on 1-4-51 / 1-4-52 in the remarks columns and continued to be repeated in the subsequent Est. Returns.

(v) The declarations, nomination forms etc. of officiating gazetted officers should remain with the Head of the office where the Govt. servant holds a permanent non-gazetted post substantively.

(b) Nominations: All officers eligible to fill in nomination forms may please be asked to fill in the appropriate forms without delay. The forms in respect of non-Gazetted Officers when received, should not be pasted in the Service Book, but kept in the personal custody of the Departmental Officers. These forms may be forwarded to this office together with the pension and gratuity claim when it arises, which will be returned, after the payment orders are issued, for preservation as they may be required by you in connection with family pension claims that may arise in the event of death of a pensioner within five years from the date of his retirement.

(c) Temporary service: In order to enable this office to determine whether the temporary service rendered by a Govt. servant will count in full or to the extent indicated in para 7 / para 8 of the Government of India Memo dated 17-4-50 / G.R.F.D. No.8315/33 dated 20-12-50 the following details should clearly be noted in the Service Book in respect of all service before the date of substantive appointment to a permanent post.

i) i) Whether the post is permanent or temporary.

ii) Whether such post is held in officiating or substantive capacity.

iii) Whether ~~xxxx~~ the temporary post held is subsequently converted into permanent post or not and in the ~~former~~ case the No. and date of the Govt. orders.

iv) If the Govt. servant is officiating in a permanent post, whether the post is substantively vacant etc. as required by Article 371 C.S.Rs. B.C.S.Rs. 240A.

v) Whether probationery service conforms to the requirement of of Article 373 C.S.Rs. ~~240A~~ or not.

vi) All service Books which do not contain the above information may please be completed forthwith in order to avoid difficulty in giving such information at the time of retirement of officers.

3. Receipt of this letter may kindly be acknowledged.

Yours faithfully,

Sd/-

DEPUTY ACCOUNTANT GENERAL (I).

Forwarded to all Heads of Department (Provincial) who would issue similar instructions to the Heads of offices subordinate to them.

PNS 2751
81680

(Below copy of letter No. PRI 3674, dt. the 7-9-1951, from the A.G., B'bay, addressed to all the Heads of Central & Provl. Offices under the audit control of the A.G., Bombay, reg: Liberalization of pension rules on the recommendation of Central Pay Commission).

No. PNS 2751 F.

P.W.D.
B.C(Bombay No.1),
6th Octr. 1951.

Copy forwarded to -

the C.E., P.W.D.,

the C.E., B.E.G.,

the.....

PNS 2751.

the S.Es. of Circles,

the Elecl. Engr. to Govt.,

the P.H.E. to Govt.,

the Architect to Govt,,

the Dir., D.D.Chawls,

the Ex. Engrs. of Dns.,

for information and guidance.

By order of the G.Bf,B,

Asstt. Secy. to the Govt. of B'bay,

P.W.D.

Id/-
3-10-51.